

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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P.R.C. on behalf of herself and her child, G.G.C.,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION;
NEW YORK CITY BOARD OF EDUCATION; and
CARMEN FARIÑA, in her official capacity as Chancellor
of the New York City School District,

**DECLARATION OF LESLEY
BERSON MBAYE, ESQ.**

No. 15 Civ. 6851 (AKH)

Defendants.

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LESLEY BERSON MBAYE, declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendants New York City Department of Education, New York City Board of Education, and Carmen Fariña, in her official capacity as Chancellor of the New York City School District (collectively, “Defendants”). I submit this declaration in support of the Defendants’ motion to dismiss the complaint pursuant to the *Younger* Abstention doctrine or Fed. R. Civ. Proc. 12(b)(6), and to place before the Court three documents referenced in Plaintiff’s Complaint and of which, therefore, the Court may take judicial notice.

2. Annexed as Exhibit “A” is a true and correct copy of the New York City Department of Education’s Gifted & Talented Program Handbook for students seeking placement in September 2015.

3. Annexed as Exhibit “B” is a true and correct copy of New York City Department of Education Chancellor’s Regulation A-101.

4. Annexed as Exhibit “C” is a true and correct copy of the Verified Petition dated May 5, 2015 (without its original exhibits), submitted on Plaintiff’s behalf to the New York State Education Department.

Dated: New York, New York
October 13, 2015

/s/
LESLEY BERSON MBAYE, ESQ.